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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,877	10/20/2003	Dean P. Macri	42P17676	3892

8791 7590 07/26/2005

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EXAMINER

HASSAN, AURANGZEB

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,877

Applicant(s)

MACRI, DEAN P.

Examiner

Aurangzeb Hassan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 thru 25 is/are rejected.
- 7) ☒ Claim(s) 14, 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/8/04 & 4/20/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 4, paragraph [0013], line 7:

Spelling correction at "produces a steam".

Applicant is required to review the entire specification and correct any grammatical or typographical errors.

Claim Objections

2. Applicant is advised that should claim 13 be found allowable, claim 14 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

3. Claim 23 objected to because of the following informalities: Applicant mentions directing video data to a "display device", the applicant must replace "device" with "interface" to remain consistent with the function of the invention.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 - 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Vistar Telecommunications Inc. Zuliani et al. (WO 97/65432 hereinafter "Zuliani", cited as prior art 4/20/2005).

6. Referring to method claim 1, an apparatus claim 8, machine readable medium claim 16, and media adapter claim 21, Zuliani discloses a method, system and media adapter comprising:

receiving video information from a remote program over a first communication link (element 1 of figure 1, para 3 of page 1, and para 7 of page 4)

directing the video information to a display device; (para 4 of page 1, thru para 3 of page 2)

receiving input information from an input device; and (para 2 thru 4 of page 7)

sending the input information to the remote program over a second communication link that is different than the first communication link. (Para 7 of page 4, thru para 3 of page 5)

7. In reference to variations between a "communication link" and a "communication interface", examiner notes and defines them to be interpreted as separate but equivalent in concept as they are complementary items. A communication link is the channel that carries information where as the communication interface sends and receives said signal. Video when sent over a communication link can be classified as output or input data and relatively high in bandwidth. Examiner henceforth will take video information, output data and high bandwidth information to represent the same information in the scope of this application.

8. As references cited by the examiner in rejection of certain claims are a specific form output device and display device will be understood by the examiner to represent an equivalent device when interpreting claims

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9. Although claims 1, 8, 16, and 21 have been drafted as separate independent claims, they appear to relate effectively to the same subject matter and to differentiate from each other only with regard to the definition of the subject matter for which protection is sought and in respect of the terminology used for the features of that subject matter. The aforementioned claims therefore lack conciseness.

10. Referring to method claim 2, machine readable medium claim 17, and media adapter claim 23, Zuliani describes decoding the video information before the directing. (Elements 54, 57, and 58 of figure 3, para 1 of page 7)

Zuliani expresses various decoders that would equate to a subset of the decoding process expressed in claim 2: an FEC decoder, and MPEG video and audio decoders.

11. Zuliani describes referring to method claim 3 and media adapter claim 22, wherein the sending input information over a second communication link is performed concurrently with the receiving video information over a first communication link. (Para 1 - 2 of page 2)

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12. Examiner will take the broadest reasonable interpretation for claim 22 line 2, in which is stated direction of control data while directing the video data to represent concurrent behavior stated in claim 3 line 2.

13. Zuliani describes referring to method claims 4 and 5, and machine readable medium claim 18:

wherein the first communication link has a higher associated bandwidth than the second communication link. (Para 1 of page 2)

wherein the second communication link has a lower associated latency than the first communication link. (para 2-4 of page 2)

14. Zuliani describes referring to method claim 6, apparatus claims 9 thru 14, machine readable medium claim 20 and media adapter claim 25, wherein the first communication link includes a wireless link, and wherein the second communication link includes a wired link that operates over alternate current-carrying lines.

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15. Examiner notes that variations of wired versus wireless in the scope of application are inherent and rejected by Zuliani's teachings accordingly.

16. Zuliani describes referring to method claim 7, apparatus claim 15, and machine readable medium claim 19, wherein the remote program includes a video game or video display application executed on a remote computing device. (Para 7 of page 4)

17. Zuliani's teaches on various games that align with the video game genre and thus require a means to control such games with a controller.

18. Zuliani describes referring to media adapter claim 24, wherein processor is further arranged to encode the control data before directing it to the wired communication interface. (Para 3 & 4 of page 7)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 6,128,649 teaches a form of two-way data communication and

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transmission of high bandwidth video information in a video conferencing application. US Patent 6,272,147 teaches a method of transmitting data. US Patent 6,868,480 describes an instruction comprised machine-readable medium. The non-patent literature included is relevant to wireless data transmission and communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571) 272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.H.
7/1/2005

A handwritten signature in cursive script, appearing to read 'Tammara Peyton'.

TAMMARA PEYTON
PRIMARY EXAMINER